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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER DISASTER SITE
LITIGATION

21 MC 100 (AKH)

Civil Action No. 03-CV-193

JOHN BAIANO, et. al.,
Plaintiffs,

v.

THE CITY OF NEW YORK,
Defendant.

STIPULATION OF DISMISSAL

The parties to the above-captioned action, through their respective counsel of record, hereby stipulate and agree as follows:

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned, that this case is hereby discontinued and dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) with prejudice and without cost to any party; this stipulation shall have no affect on any individual claims which were filed by plaintiffs in the above captioned action.

Dated: New York, New York

September 23, 2010

Barasch McGarry Salzman & Penson

By:

Edward L.C. Marcowitz (9620)
11 Park Place Suite 1801
New York, NY 10007

Dated: New York, New York

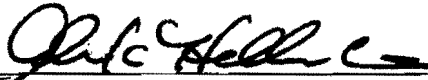
September 24, 2010

PATTON BOGGS LLP

By:

JAMES E. TYRRELL, JR. (JT 4676)
One Riverfront Plaza, 6th Floor
Newark, New Jersey 07102
(973) 848-5600

SO ORDERED:


HONORABLE ALVIN K. HELLERSTEIN
UNITED STATES DISTRICT COURT JUDGE
SOUTHERN DISTRICT OF NEW YORK
102121